

REMARKS

Claims 7–12 are pending in this application. By this Amendment, claims 7–12 are added, and claims 1–6 are canceled. Support for the amendments to the claims may be found, for example, in the claims and specification as originally filed, and in Figure 10. No new matter is added.

In view of the foregoing amendments and following remarks, reconsideration and allowance are respectfully requested.

I. Personal Interview

The courtesies extended to Applicants' representative by Examiner Kalafut at the interview held November 12 are appreciated. The reasons presented at the interview as warranting favorable action are incorporated into the remarks below, which constitute Applicants' record of the interview.

II. Rejection Under 35 U.S.C. §102

The Office Action rejects claims 1–6 under 35 U.S.C. §102(b) over U.S. Patent Application Publication No. 2002/0122972 to Klitsner et al. ("Klitsner"). Applicants respectfully traverse the rejection.

Without conceding the propriety of the rejection, claim 1 is redrafted as claim 7. Claims 8–12 correspond to canceled claims 2–6, respectively. Claim 7 requires, *inter alia*, that the first electrode layer "fills in the transverse passages of the first current collector layer and is in direct contact with the electrolytic membrane through the transverse passages, and covers the first current collector layer so that the first current collector layer is between the front face of the electrolytic membrane and the first electrode layer" and corresponding features are also required of the second electrode layer. Support for these feature may be found, for example, in the specification at page 7, lines 3–9, and in Figure 10.

As agreed upon during the interview, claim 7 distinguishes over Klitsner. As such, Applicants respectfully request reconsideration and withdrawal of the rejection.

III. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the application are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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